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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,014	07/20/2001	Emanuel S. Kemeny		19 ⁹¹¹⁶

7590

06/19/2003

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EXAMINER

WEINSTEIN, STEVEN L

ART UNIT

PAPER NUMBER

1761

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO. 09909014	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER STEVEN WEINSTEIN

ART UNIT 1761 PAPER 19

DATE MAILED:

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Commissioner for Patents

The reply filed on February 24, 2003 is not fully responsive to the prior Office action. The reply is incomplete for the reasons given below. Since the reply appears to be bona fide, applicant is given a TIME PERIOD OF ONE (1) MONTH OR THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFT 1.136(a).

Applicant has filed an extensive amendment with many amendments to the claims and additions to the specification without indicating wherein the specification, as originally filed, necessarily and inherently supports the new claim language and the amendments to the specification.

To expedite prosecution, the following points are made. The amendment to the claims and specification appear to be replete with New Matter. New Matter is broadly defined as subject matter not necessarily and inherently supported by the specification as originally filed. For example, in the amendments to the claims, where is the support in the specification as originally filed that the equivalence approximating "primarily flavor"? It does not appear that the word "flavor" even appears

in the specification as originally filed, let alone that equivalence meant equivalent in flavor. Other examples of phrases which do not appear to be supported by the specification as originally filed are that the appetizer includes a "light-density foods", with flavor either "sweet or savory", that the dessert is "light density food with flavors sweet", that the "food bar and package are marked to indicate segment ingredients and appetizer", that the bars are "marked first", that "the other end segment of the bar is "marked last", etc. Also, applicant's amendment to the specification also appears to contain New Matter. One cannot add definitions to the specification that have not already been defined in the specification as originally filed.

Any inquiry concerning this communication from the examiner should be directed to Steven Weinstein whose telephone number is (703) 308-0650. The examiner can generally be reached on Monday-Friday from 7:00 a.m. to 3:30 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (703) 308-3959. The fax phone numbers for the organization where this application is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is (703) 308-0661.

S. Weinstein/dh
June 13, 2003

Corrected

June 17, 2003


STEVE WEINSTEIN
PRIMARY EXAMINER 1761
6/19/03